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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/454,875	12/03/1999	NACERDINE AZZI	RCA-89342	4350

7590

01/09/2002

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EXAMINER

ZIMMERMAN, GLENN

ART UNIT

PAPER NUMBER

2879

DATE MAILED: 01/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/454,875

Applicant(s)

AZZI ET AL.

Examiner

Glenn Zimmerman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-21 is/are pending in the application.
- 4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7, 9, 14-16, 18, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 4, 10-13, 17 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in France on 12/11/1998. It is noted, however, that applicant has not filed a certified copy of the 98 15645 application as required by 35 U.S.C. 119(b).

Drawings

The drawings are objected to under 37 CFR 1.83(a) because they fail to show 25' (**page 8 line 14**) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Figures 2A and 2B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The abstract of the disclosure is objected to because the abstract contains three paragraphs and a heading. The abstract should be generally limited to a single

paragraph. Applicants generally use only one heading for the Abstract page which is -- ABSTRACT--. There is also a lone reference to "Figure 4" at the bottom of the abstract on page 12 line 17, which is not part of a sentence. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

There are contents missing in the specification, and specifically headings, which differentiate sections of a specification. A title for the Background of the Invention, Summary, Detailed Description of the Invention and Description of Drawings are not shown in the specification.

The following guidelines illustrate the preferred layout and content for patent applications. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

The following order or arrangement is preferred in framing the specification and, except for the reference to the drawings, each of the lettered items should appear in upper case, without underling or bold type, as section headings. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) Title of the Invention.

- (b) Cross-Reference to Related Applications.
- (c) Statement Regarding Federally Sponsored Research or Development.
- (d) Reference to a "Sequence Listing," a table, or a computer program listing appendix submitted on compact disc (see 37 CFR 1.52(e)(5)).
- (e) Background of the Invention.
 - 1. Field of the Invention.
 - 2. Description of the Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) Brief Summary of the Invention.
- (g) Brief Description of the Several Views of the Drawing(s).
- (h) Detailed Description of the Invention.
- (i) Claim or Claims (commencing on a separate sheet).
- (j) Abstract of the Disclosure (commencing on a separate sheet).
- (k) Drawings.
- (l) Sequence Listing, if on paper (see 37 CFR 1.821-1.825).

The disclosure is objected to because of the following informalities: Referring to page 1, line 1 of the instant specification change "ASYMETRIC" to "ASYMMETRIC".

Referring to page 1, line 2 of the instant specification change "SYMETRIC" to "SYMMETRIC". The title should be changed to correct these spelling errors.

Appropriate correction is required.

Claim Objections

Claims 3,6 and 9 are objected to because of the following informalities: Claim 3 on page 2 line 18 mentions "a deflection according". The claim 3 will be more logical to write this as --a deflection yoke according--. In claim 6, there is a bracket on page 3 line 6 of the pre-amendment after the word "that". This bracket does not match with any other bracket in the claim, thus confusing and making indefinite the metes and bounds of the claim. Claim 9 on page 3 line 18 mentions "a deflection according to claim 2" where this must be more logically written as --a deflection yoke according to claim 2--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6, 7, 9, 14-16, 19 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Abe et al. U.S. Patent 4,233,582.

Referring to claim 1, Abe et al. disclose a deflection yoke for a color cathode-ray tube (**Fig. 1, ref. 1**), comprising: a pair of horizontal deflection coils (3) (**ref. 2, 2A and 2B**); a pair of vertical deflection coils (4) (**ref. 4**) for generating magnetic deflection fields perpendicular to a main axis Z; at least one of said two pairs consisting of saddle-shaped coils (**ref. 2, col. 4 lines 31-35**) having conducting wires arranged so as to form a front conductor assembly (25) (**Fig. 3 ref. 6**) and a rear conductor assembly (24) (**Fig. 3 ref. 6'**) connected to each other by lateral conductor bundles (26) (**Fig. 3 ref. 2**), and those parts of each of said coils which form the rear conductor assembly and the lateral bundles being arranged approximately symmetrically with respect to a plane P (**Fig. 1 no ref. #**); and, said deflection yoke having means (40,42,43) for locally modifying the direction or the amplitude of the magnetic field (H) created by the current flow in said conductor assembly (**ref. 7**) so that, considering a first zone of the front conductor

assembly and a second zone symmetrical with the first zone with respect to the plane P, the fields H and H' created in the first and second zones are not symmetrical with respect to P (**Fig. 1**).

Referring to claim 2, Abe et al. disclose a deflection yoke according to claim 1, wherein the means (40,42) for locally modifying the direction of the magnetic field comprises an unsymmetrical arrangement with respect to the plane P of the conductors forming the front conductor assembly of each of the two saddle-shaped coils (**Fig. 1 ref. 7**). Plane P could be placed anywhere.

Referring to claim 3, Abe et al. disclose a deflection according to claim 1, wherein the conductors of said conductor assembly are locally shifted to form a depression on the outer or inner surface of the conductor assembly (**Fig. 1 ref. 7**), the asymmetry resulting from the local shifting.

Referring to claim 6, Abe et al. disclose a deflection yoke according to claim 1, wherein the means for modifying the magnetic field extend, in a plane perpendicular to the z axis, about a mean radial direction of between 60 ° and 90 ° measured with respect to the direction of the plane of separation of the two coils of the same pair (**Fig. 1 ref. 7**).

Referring to claim 7, Abe et al. disclose a deflection yoke according to claim 1, wherein the means for modifying the magnetic field are arranged on both of the saddle-shaped coils of the same pair, symmetrically with respect to the Z axis (**Fig. 1 ref. 7**).

Referring to claim 9, Abe et al. disclose a deflection according to claim 2, wherein the conductors of said conductor assembly are locally shifted to form a depression on

the outer or inner surface of the conductor assembly, the asymmetry resulting from the local shifting (**Fig. 1 ref. 7**).

Referring to claim 14, Abe et al. disclose a cathode ray tube in combination with a deflection yoke as recited in claim 1 (**Fig. 1, Fig. 2, col. 4 lines 29-31**).

Referring to claim 15, Abe et al. disclose the combination as recited in claim 14, wherein the means (40,42) for locally modifying the direction of the magnetic field comprises an unsymmetrical arrangement with respect to the plane P of the conductors forming the front conductor assembly of each of the two saddle-shaped coils (**Fig. 1 and Fig. ref. 7**). The plane P could be placed anywhere.

Referring to claim 16, Abe et al. disclose the combination as recited in claim 14, wherein the conductors of said conductor assembly are locally shifted to form a depression on the outer or inner surface of the conductor assembly (**Fig. 1 ref. 7**), the asymmetry resulting from the local shifting (**Fig. 1 ref. 7 and Fig. 1**).

Referring to claim 19, Abe et al. disclose the combination as recited in claim 14, wherein the means for modifying the magnetic field extend, in a plane perpendicular to the Z axis, about a mean radial direction of between 60 ° and 90 ° measured with respect to the direction of the plane of separation of the two coils of the same pair (**Fig. 1 and Fig. 1 ref. 7**).

Referring to claim 20, Abe et al. disclose the combination as recited in claim 14, wherein the means for modifying the magnetic field are arranged on both of the saddle-shaped coils of the same pair, symmetrically with respect to the Z axis (**Fig. 1 and Fig. 1 ref. 7**).

Allowable Subject Matter

Claims 4, 10-13, 17 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Examiner's Reason For Allowance

The following is an examiner's statement of reasons for allowance: Prior art of record neither shows nor suggests a deflection yoke according to claim 1, along with the other limitations of claim 4, "the means for locally modifying the direction or amplitude of the magnetic field comprises at least one metal plate placed near the front conductor assembly". Prior art of record neither shows nor suggests a deflection yoke according to claim 9, along with the other limitations of claim 10, "wherein the means for locally modifying the direction or amplitude of the magnetic field comprises at least one metal plate placed near the front conductor assembly". Claims 11-13 and 21 are dependent on claim 10, so these claims will follow claim 10 as allowable. Prior art of record neither shows nor suggests a deflection yoke according to claim 14, along with the other limitations of claim 17, "wherein the means for locally modifying the direction or amplitude of the magnetic field comprises at least one metal plate placed near the front conductor assembly".

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Koizumi et al. JP Patent 02,216,738. disclose a deflection yoke. Fukuma et al. U.S. Patent 5,523,658 disclose a deflection yoke device and color cathode ray tube using the same. Koba et al. U.S. Patent 4,975,618 disclose a deflection device for a color picture tube apparatus.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1 and 2 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 9 of U.S. Patent No. 6,107,904. Although the conflicting claims are not identical, they are not patentably distinct from each other because although claim 9 of the reference patent only mentions a pair of deflection windings it would have been obvious to use a pair of horizontal coils and a pair of vertical coils in a deflection yoke for a color cathode-ray tube as this is common

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knowledge in the art or conventional. The depression mentioned in claim 9 is enough to satisfy the requirement of the fields H and H' that they are not symmetrical with respect to P. The pair of side winding portions, between said front and rear end winding portions adequately describes the lateral conductor bundles.

Referring to claim 2 of the instant application, the depression mentioned in claim 9 of the reference patent is the means for locally modifying the direction of the magnetic field and this depression possesses an unsymmetrical arrangement with respect to the plane P or plane of symmetry. The plane P can be placed anywhere.

Claims 5 and 18 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 12 of U.S. Patent No. 6,107,904. Although the conflicting claims are not identical, they are not patentably distinct from each other.


Referring to claim 5 of the instant application, claim 12 of the reference teaches a deflection yoke according to claim 1, wherein the two saddle-shaped coils are the vertical coils.

Referring to claim 18 of the instant application, claim 12 of the reference teaches the combination as recited in claim 14 wherein the two saddle-shaped coils are the vertical deflection coils.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Zimmerman whose telephone number is (703) 308-8991. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel can be reached on (703) 305-4794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7382 for regular communications and (703) 308-7382 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is n/a.


Glenn Zimmerman
December 27, 2001


MICHAEL H. DAY
PRIMARY EXAMINER